

devised the subject property to his widow Ida Belle Hawes, absolutely in fee simple; the said Ida Belle Hawes conveyed the subject property to Horace A. Mohler, in fee simple, by deed dated April 4, 1951, and recorded on the same day among the Land Records of Frederick County in Liber No. 491, folio 270; the said Horace A. Mohler, died divorced and intestate, survived by his only heirs at Law, Horace Raymond Mohler and Nellie A. Miller, the estate being filed in the aforesaid Orphans Court in Estate No. 6993; the said Horace Raymond Mohler was joined by his wife, Ruth W. Mohler, in a deed to Nellie A. Miller and William R. Miller, her husband, dated September 28, 1970, and recorded on August 4, 1971, among the aforesaid Land Records in Liber No. 852, folio 728, wherein the subject property was conveyed in fee simple. Copies of the foregoing estates and deeds are attached herewith, and appear in their respective order as set forth above as Exhibits 5, 6, 7 and 8.

SEVENTH: That when the aforesaid matter was submitted to several land title companies issuing Owner's Title Insurance policies, the said title companies advised Petitioner's orally that they would not issue an Owner's Title Insurance Policy on the said lot or parcel of land by reason of the erroneous Deed which creates a cloud upon the title of the present owner.

EIGHTH: That after diligent search, it appears from a certain Deed from the Heirs at law of William H. Fulton, Sr. to Alvie E. Toms, recorded among the Land Records of Frederick County, Maryland, in Liber 421, folio 326, a copy of which is attached as Exhibit 9, that the said William H. Fulton, Sr., died sometime prior to November 20th, 1939, survived by a widow, Emma F. Fulton and seven (7) children, namely: Florence Millie Redford, Lula May Piles, David Fulton, William H. Fulton, E. Walter Fulton, Melvin E. Fulton and Emma D. Fulton; no estate having been opened in the Orphan's Court for Frederick County, Maryland, for the said William H. Fulton, Sr..

NINTH: It is unknown whether the widow or any of the children of the said William H. Fulton, Sr. are alive or dead, and it is further unknown in spite of diligent search, the whereabouts of the said heirs of William H. Fulton, Sr. in order to effectuate service of process on them.